

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ROBERT S. GANS,

Petitioner,

-against-

BERNSTEIN, LITOWITZ, BERGER &
GROSSMANN LLP.

Respondent(s).

No.07 Civ. 9328 (LTS)(THK)

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

Tamara Lomax, being duly sworn, deposes and says:

1. I am not a party to this action, am over eighteen years of age and reside c/o Brill & Meisel, 845 Third Avenue, 16th Floor, New York, New York 10022.

2. On October 31, 2007, I served the within **ORDER OF THE HON. LAURA T. SWAIN DATED OCTOBER 30TH, 2007** in the above-referenced action by depositing a true copy thereof by in a post-paid wrapper in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State to the parties listed below at the addresses indicated:

Norman Simon, Esq.
Kramer Levin Neftalis & Frankel
1177 Avenue of the Americas
New York, New York 10036

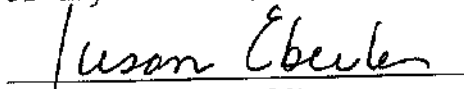
Barry Berke, Esq.
Kramer Levin Neftalis & Frankel
1177 Avenue of the Americas
New York, New York 10036

3. On October 31, 2007, Ashley Normand of Brill & Meisel served said **ORDER** in the above-referenced action by transmitting a copy of the foregoing papers via E-Mail as indicated below:

Norman Simon
Nsimon@KRAMERLEVIN.com

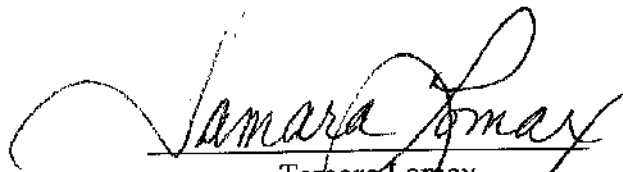
Barry Berke
bberke@kramerlevin.com

Sworn to before me this
31st day of October, 2007



Notary Public

SUSAN EBERLE
Notary Public, State of New York
No. 01EB6120928
Qualified in NEW YORK County
Commission Expires JANUARY 3, 2009



Tamara Lomax